

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BENNIE DIXON,)	Case No. 08cv1764-JM(BLM)
)	
Petitioner,)	ORDER: (1) GRANTING MOTION TO
)	AMEND/CORRECT NOTICE OF
v.)	APPEARANCE (Doc. No. 38),
)	(2) STRIKING PRIOR NOTICE OF
DERRAL G. ADAMS, Warden, et)	APPEARANCE (Doc. No. 37),
al.,)	(3) ACCEPTING TRAVERSE (Doc.
)	No. 39), AND (4) STRIKING
Respondents.)	PRIOR TRAVERSE (Doc. No. 35)
)	

Petitioner initiated this action *in pro per* and filed his First Amended Complaint in that capacity. Respondents filed an answer to that complaint and, on October 16, 2009, Petitioner filed a timely traverse.

On October 29, 2009, Petitioner obtained counsel. See Doc. No. 38, Ex. 1. Counsel entered an appearance on Petitioner's behalf on November 2, 2009.¹ Petitioner's counsel then filed a timely

¹ Petitioner's counsel filed a Notice of Appearance (Doc. No. 37) and then filed a Motion to Amend/Correct Notice of Appearance (Doc. No. 38), which appears to correct the name of the Respondent warden. The Court hereby **GRANTS** Respondents' motion and orders the Clerk of Court to **STRIKE** the initial notice (Doc. No. 37) from the record.

1 traverse on November 4, 2009.²

2 Petitioner can have only one operable traverse. Because
3 Petitioner obtained counsel after filing his *pro se* traverse, the
4 Court accepts the latest traverse filed by counsel as the operable
5 traverse and orders the *pro se* traverse (Doc. No. 35) **STRICKEN** from
6 the record.

7 **IT IS SO ORDERED.**

8 DATED: November 4, 2009

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10 BARBARA L. MAJOR
11 United States Magistrate Judge
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28 ² By order dated August 27, 2009, this Court granted Petitioner until
November 4, 2009, to file a traverse. Doc. No. 33.